

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 8, 11-13, 15, 17, 19, 20, 23, 24, and 26-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen, USPN 7,012,503.

With regard to claims 1, 8, 23, 26, and 27-29, Nielsen discloses an apparatus including a mobile communication device having a first transceiver configured to communicate through a cellular network with a server associated with a service provider to receive and store in a memory a key from the service provider (column 12 lines 3-20), the key having an identification tag identifying the service provider and validity information relating to a service provided by the service provider (column 15 lines 1-11), the mobile communications device further having a processor and a second transceiver (Bluetooth), the processor configured to cause the mobile communications device to receive and transmit short range, low power, high frequency signals through the second transceiver (Bluetooth, column 11 lines 51-59), an access device (lock control unit) having a transceiver for communicating with the mobile communications device through the second transceiver (column 11 lines 51-53), wherein the access device is

configured to receive the key and the validity information, wherein the access device is configured to determine, without any connection to the service provider whether or not the key and the validity information are valid (column 16 lines 54-63), and if the key and validity information are valid , then the access device is configured to provide access to the service (column 16 lines 63-65).

With regard to claims 2, 3, and 30, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses the communications device receiving additional information to the service (column 15 lines 1-11).

With regard to claim 4, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses the communications device is configured to display access code information (column 10 lines 29-31).

With regard to claim 11, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses using infrared signals (column 4 lines 17-18).

With regard to claims 12, 13, 31, and 32, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses selecting one of multiple stored keys (column 11 lines 48-51)

With regard to claims 15 and 33, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses access is granted to an office (column 3 lines 29-35).

With regard to claims 17 and 34, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses encrypting the codes (column 20 lines 55-62).

With regard to claims 19 and 35, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses the code identifies the user (column 15 lines 1-22).

With regard to claims 20 and 24, Nielsen discloses the apparatus of claim 1, as outlined above, and further discloses the codes include information related to usage times (column 6 lines 17-22).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen in view of examiner's official notice.

With regard to claim 5, Nielsen discloses the apparatus of claim 5, as outlined above. While Nielsen discloses the key device including a display, as outlined above, he does not specifically mention a speaker. The examiner takes official notice that it is well known in the art to include a speaker with a display. It would have been obvious for one of ordinary skill in the art to include a speaker in the apparatus of Nielsen for the at least the motivation of allowing blind users to use the key.

With regard to claim 18, Nielsen discloses the apparatus of claim 1, as outlined above, but does not disclose a method of creating the codes. The examiner takes official notice that it is well known in the art to use a hash to create a key. It would have

been obvious for one of ordinary skill in the art to create the key in Nielsen with a hash for the motivation of being easily able to reproduce without being decryptable.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB LIPMAN whose telephone number is (571)272-3837. The examiner can normally be reached on M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jacob Lipman/  
Examiner, Art Unit 2434